saalt
SOUTH ASIAN AMERICANS LEADING TOGETHER

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Community Guide on Public Charge

On October 10, the Department of Homeland Security (DHS) published a proposed "public charge" regulation. This rule expands the definition of public charge and targets anyone who uses applicable health, nutrition, or housing support programs. If the government determines that someone is likely to become a "public charge," that person can be refused lawful permanent residence ("green card"), change/extension of non-immigrant visas, or entry into the U.S.

DHS wants to make the public charge test stricter and weigh certain factors more heavily such as age, income, health, and education. If the rule is approved, the government would consider these benefits and criteria under the public charge test:

- Medicaid
- Medicare Part D Low Income Subsidy
- Long term nursing home care paid for by the government
- Temporary Assistance for Needy Families (TANF)
- Supplemental Nutrition Assistance Program (SNAP)
- Federal public housing, Section 8 housing vouchers, and Section 8 rental assistance
- Immigrant families of four earning less than $63,000 annually

The proposed rule will affect immigrants who are applying for lawful permanent residence (LPR or "green card"), LPRs who have been out of the country for 6+ months, foreign nationals seeking entry or re-entry into the U.S., non-immigrant visa holders who request a change or extension of visas (students, tourist, temporary workers) **The proposed rule will NOT affect:** individuals applying for naturalization, citizens, refugees, asylees, VAWA petitioners, T or U visa applicants/holders, and other specific cases.

How does public charge negatively impact South Asians?

- Nearly 472,000 or 10% of the approximately five million South Asians in the U.S. live in poverty.[1]
- Among South Asian Americans, Pakistanis (15.8%), Nepali (23.9%), Bangladeshis (24.2%), and Bhutanese (33.3%) had the highest poverty rates.[2]
- Over 10% of green card recipients in FY 2016 were from South Asian countries.
- Bangladeshi and Nepali communities have the lowest median household incomes out of all Asian American groups, earning $49,800 and $43,500 respectively.[3]
- Nearly 61% of non-citizen Bangladeshi American families receive public benefits for at least one of the four federal programs including TANF, SSI, SNAP, and Medicaid/CHIP, 48% of non-citizen Pakistani families and 11% of non-citizen Indian families also receive public benefits.[4]

If this rule goes into effect, a significant percentage of the nearly 5 million South Asians living in the United States would become a "public charge" simply for using public benefits they are entitled to.

What can you do?

- If you receive public benefits, you should continue to stay enrolled!
- **Submit a comment:** The public is encouraged to submit a comment opposing the discriminatory public charge rule before **December 10**. Visit SAALT's campaign page to submit a unique comment explaining how public charge would impact you and your family! bit.ly/saaltpubliccharge
- Contact your Congressional representative: **202-224-3121** and tell them how this proposed rule would impact you!

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[1] Pew Research Center study, 2015. bit.ly/2z1gGzz
[2] *Ibid*
[3] *Ibid*
[4] "Chilling Effects: The Expected Public Charge Rule and Its Impact on Legal Immigrant Families' Public Benefits Use." *Migration Policy Institute,* 2018. bit.ly/2PRhmky